

In the House of Representatives, U. S.,

October 23, 2000.

Resolved, That the bill from the Senate (S. 1509) entitled “An Act to amend the Indian Employment, Training, and Related Services Demonstration Act of 1992, to emphasize the need for job creation on Indian reservations, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***TITLE I—INDIAN EMPLOYMENT,***
2 ***TRAINING, AND RELATED***
3 ***SERVICES DEMONSTRATION***
4 ***ACT AMENDMENTS***

5 ***SEC. 101. SHORT TITLE.***

6 *This title may be cited as the “Indian Employment,*
7 *Training, and Related Services Demonstration Act Amend-*
8 *ments of 2000”.*

9 ***SEC. 102. FINDINGS, PURPOSES.***

10 *(a) FINDINGS.—The Congress finds that—*

11 *(1) Indian tribes and Alaska Native organiza-*
12 *tions that have participated in carrying out pro-*
13 *grams under the Indian Employment, Training, and*

1 *Related Services Demonstration Act of 1992 (25*
2 *U.S.C. 3401 et seq.) have—*

3 *(A) improved the effectiveness of employ-*
4 *ment-related services provided by those tribes*
5 *and organizations to their members;*

6 *(B) enabled more Indian and Alaska Native*
7 *people to prepare for and secure employment;*

8 *(C) assisted in transitioning tribal members*
9 *from welfare to work; and*

10 *(D) otherwise demonstrated the value of in-*
11 *tegrating employment, training, education and*
12 *related services.*

13 *(E) the initiatives under the Indian Em-*
14 *ployment, Training, and Related Services Dem-*
15 *onstration Act of 1992 should be strengthened by*
16 *ensuring that all Federal programs that empha-*
17 *size the value of work may be included within a*
18 *demonstration program of an Indian or Alaska*
19 *Native organization;*

20 *(F) the initiatives under the Indian Em-*
21 *ployment, Training, and Related Services Dem-*
22 *onstration Act of 1992 should have the benefit of*
23 *the support and attention of the officials with*
24 *policymaking authority of—*

25 *(i) the Department of the Interior;*

1 (ii) other Federal agencies that admin-
 2 ister programs covered by the Indian Em-
 3 ployment, Training, and Related Services
 4 Demonstration Act of 1992.

5 (b) *PURPOSES.*—The purposes of this title are to dem-
 6 onstrate how Indian tribal governments can integrate the
 7 employment, training, and related services they provide in
 8 order to improve the effectiveness of those services, reduce
 9 joblessness in Indian communities, foster economic develop-
 10 ment on Indian lands, and serve tribally-determined goals
 11 consistent with the policies of self-determination and self-
 12 governance.

13 **SEC. 103. AMENDMENTS TO THE INDIAN EMPLOYMENT,**
 14 **TRAINING AND RELATED SERVICES DEM-**
 15 **ONSTRATION ACT OF 1992.**

16 (a) *DEFINITIONS.*—Section 3 of the Indian Employ-
 17 ment, Training, and Related Services Demonstration Act
 18 of 1992 (25 U.S.C. 3402) is amended—

19 (1) by redesignating paragraphs (1) through (3)
 20 as paragraphs (2) through (4), respectively; and

21 (2) by inserting before paragraph (2) the fol-
 22 lowing:

23 “(1) *FEDERAL AGENCY.*—The term ‘federal agen-
 24 cy’ has the same meaning given the term ‘agency’ in
 25 section 551(1) of title 5, United States Code.”.

1 (b) *PROGRAMS AFFECTED*.—Section 5 of the Indian
 2 *Employment, Training, and Related Services Demonstra-*
 3 *tion Act of 1992 (25 U.S.C. 3404) is amended by striking*
 4 *“job training, tribal work experience, employment opportu-*
 5 *nities, or skill development, or any program designed for*
 6 *the enhancement of job opportunities or employment train-*
 7 *ing” and inserting the following: “assisting Indian youth*
 8 *and adults to succeed in the workforce, encouraging self-*
 9 *sufficiency, familiarizing Indian Youth and adults with the*
 10 *world of work, facilitating the creation of job opportunities*
 11 *and any services related to these activities”.*

12 (c) *PLAN REVIEW*.—Section 7 of the Indian Employ-
 13 *ment, Training, and Related Services Demonstration Act*
 14 *of 1992 (25 U.S.C. 3406) is amended—*

15 (1) *by striking “Federal department” and insert-*
 16 *ing “Federal agency”;*

17 (2) *by striking “Federal departmental” and in-*
 18 *serting “Federal agency”;*

19 (3) *by striking “department” each place it ap-*
 20 *pears and inserting “agency”; and*

21 (4) *in the third sentence, by inserting “statutory*
 22 *requirement,” after “to waive any”.*

23 (d) *PLAN APPROVAL*.—Section 8 of the Indian Em-
 24 *ployment, Training, and Related Services Demonstration*
 25 *Act of 1992 (25 U.S.C. 3407) is amended—*

1 (1) *in the first sentence, by inserting before the*
 2 *period at the end the following: “, including any re-*
 3 *quest for a waiver that is made as part of the plan*
 4 *submitted by the tribal government”;* and

5 (2) *in the second sentence, by inserting before the*
 6 *period at the end the following: “, including reconsid-*
 7 *ering the disapproval of any waiver requested by the*
 8 *Indian tribe”.*

9 (e) *JOB CREATION ACTIVITIES AUTHORIZED.—Section*
 10 *9 of the Indian Employment, Training, and Related Serv-*
 11 *ices Demonstration Act of 1992 (25 U.S.C. 3407) is*
 12 *amended—*

13 (1) *by inserting “(a) IN GENERAL.—” before*
 14 *“The plan submitted”;* and

15 (2) *by adding at the end the following:*

16 “(b) *JOB CREATION OPPORTUNITIES.—*

17 “(1) *IN GENERAL.—Notwithstanding any other*
 18 *provisions of law, including any requirement of a*
 19 *program that is integrated under a plan under this*
 20 *Act, a tribal government may use a percentage of the*
 21 *funds made available under this Act (as determined*
 22 *under paragraph (2)) for the creation of employment*
 23 *opportunities, including providing private sector*
 24 *training placement under section 10.*

1 “(2) *DETERMINATION OF PERCENTAGE.—The*
 2 *percentage of funds that a tribal government may use*
 3 *under this subsection is the greater of—*

4 “(A) *the rate of unemployment in the serv-*
 5 *ice area of the tribe up to a maximum of 25 per-*
 6 *cent; or*

7 “(B) *10 percent.*

8 “(c) *LIMITATION.—The funds used for an expenditure*
 9 *described in subsection (a) may only include funds made*
 10 *available to the Indian tribe by a Federal agency under*
 11 *a statutory or administrative formula.”.*

12 **SEC. 104. REPORT ON EXPANDING THE OPPORTUNITIES**
 13 **FOR PROGRAM INTEGRATION.**

14 *Not later than one year after the date of enactment*
 15 *of this title, the Secretary, the Secretary of Health and*
 16 *Human Services, the Secretary of Labor, and the tribes and*
 17 *organizations participating in the integration initiative*
 18 *under this title shall submit a report to the Committee on*
 19 *Indian Affairs of the Senate and the Committee on Re-*
 20 *sources of the House of Representatives on the opportunities*
 21 *for expanding the integration of human resource develop-*
 22 *ment and economic development programs under this title,*
 23 *and the feasibility of establishing Joint Funding Agree-*
 24 *ments to authorize tribes to access and coordinated funds*
 25 *and resources from various agencies for purposes of human*

1 *resources development, physical infrastructure development,*
 2 *and economic development assistance in general. Such re-*
 3 *port shall identify programs or activities which might be*
 4 *integrated and make recommendations for the removal of*
 5 *any statutory or other barriers to such integration.*

6 ***TITLE II—LIMITATION ON PAR-***
 7 ***TIES LIABLE IN CERTAIN***
 8 ***LAND DISPUTES***

9 ***SEC. 201. LIABLE PARTIES LIMITED.***

10 *In any action brought claiming an interest in land*
 11 *or natural resources located in Oneida or Madison counties*
 12 *in the State of New York that arises from—*

13 *(1) the failure of Congress to approve or ratify*
 14 *the transfer of such land or natural resources from,*
 15 *by, or on behalf of any Indian nation, tribe, or band;*
 16 *or*

17 *(2) a violation of any law of the United States*
 18 *that is specifically applicable to the transfer of land*
 19 *or natural resources from, by, or on behalf of any In-*
 20 *Indian nation, tribe, or band (including the Act entitled*
 21 *“An Act to regulate trade and intercourse with the*
 22 *Indian tribes, and to preserve peace on the frontiers”,*
 23 *approved June 30, 1834 (1 Stat. 137)),*

1 *liability shall be limited to the party to whom the Indian*
2 *nation, tribe, or band allegedly transferred the land or nat-*
3 *ural resources.*

Attest:

Clerk.

106TH CONGRESS
2D SESSION

S. 1509

AMENDMENT